

Amendment and Response Under 37 C.F.R. §1.116

Page 2 of 7

Serial No.: 09/981,617

Confirmation No.: 6396

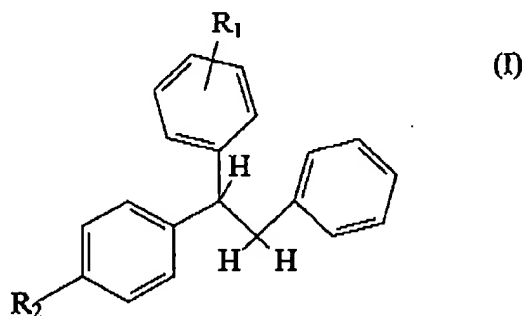
Filed: October 15, 2001

For: ESTROGEN MIMETICS LACKING REPRODUCTIVE TRACT EFFECTS

### Amendments to the Claims

This listing of claims replaces all prior versions, and listings, of claims in the above-identified application:

27. **(Previously Presented)** A method for treating extra-reproductive tract tissues that are responsive to treatment with estrogen comprising administering to a patient an effective amount of a nonuterotrophic compound having the structure



RECEIVED  
CENTRAL FAX CENTER  
OCT 24 2003

OFFICIAL

wherein  $R_1$  is  $-O(CH_2)_mR_3$  or  $-(CH_2)_nR_3$ ;  $R_3$  is an anionic substituent;  $m$  is 1, 2, 3 or 4;  $n$  is 0, 1, 2, 3 or 4; and  $R_2$  is para-OH.

28. **(Original)** The method of claim 27 wherein  $R_1$  is  $-O(CH_2)_mR_3$ .

29. **(Original)** The method of claim 27 wherein  $R_1$  is  $-(CH_2)_nR_3$ .

30. **(Original)** The method of claim 27 wherein the compound is 4-[1-(4-hydroxyphenyl)-2-phenylethyl]phenoxyacetic acid such that  $R_1$  is para- $OCH_2R_3$ ; and  $R_3$  is  $-COO^-$ .

**Amendment and Response Under 37 C.F.R. §1.116**

Page 3 of 7

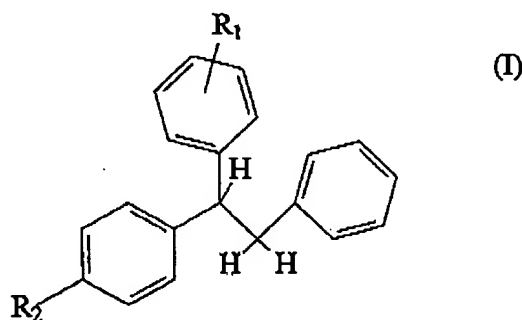
Serial No.: 09/981.617

Confirmation No.: 6396

Filed: October 15, 2001

For: ESTROGEN MIMETICS LACKING REPRODUCTIVE TRACT EFFECTS

31. (Original) The method of claim 27 wherein the anionic substituent comprises a functional group selected from the group consisting of a carboxylate group, a tetrazolate group and a bisphosphonate group.
32. (Original) The method of claim 27 wherein the patient is a female.
33. (Original) The method of claim 32 wherein the patient is a perimenopausal or postmenopausal female.
34. (Original) The method of claim 27 wherein the compound is administered in an estrogen replacement therapy.
35. (Original) The method of claim 27 wherein the compound is administered to treat osteopenia.
36. (Original) A pharmaceutical composition comprising a compound having the structure



wherein  $R_1$  is  $-O(CH_2)_mR_3$  or  $-(CH_2)_nR_3$ ;  $R_3$  is an anionic substituent;  $m$  is 1, 2, 3 or 4;  $n$  is 0, 1, 2, 3 or 4; and  $R_2$  is para-OH; or a pharmaceutically acceptable salt thereof; and a pharmaceutically acceptable carrier.

**Amendment and Response Under 37 C.F.R. §1.116**

Page 4 of 7

Serial No.: 09/981,617

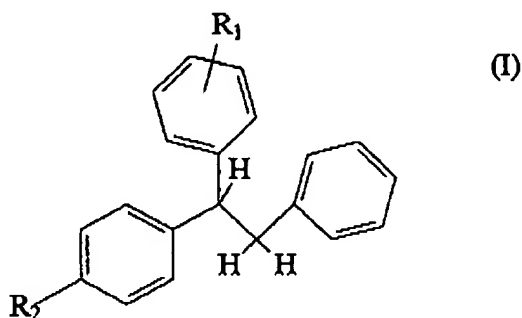
Confirmation No.: 6396

Filed: October 15, 2001

For: ESTROGEN MIMETICS LACKING REPRODUCTIVE TRACT EFFECTS

37. (Original) The pharmaceutical composition of claim 36 wherein  $R_1$  is  $-O(CH_2)_mR_3$ .

38. (Currently Amended) A The pharmaceutical composition of claim 36 comprising a compound having the structure



wherein  $R_1$  is  $-(CH_2)_nR_3$ ;  $R_3$  is an anionic substituent;  $m$  is 1, 2, 3 or 4;  $n$  is 0, 1, 2, 3 or 4; and  $R_2$  is para-OH; or a pharmaceutically acceptable salt thereof; and a pharmaceutically acceptable carrier.

39. (Original) The pharmaceutical composition of claim 36 wherein the compound is 4-[1-(4-hydroxyphenyl)-2-phenylethyl]phenoxyacetic acid such that  $R_1$  is para- $OCH_2R_3$ ; and  $R_3$  is  $-COO^-$ .